

AOC-056-6
Rev. 12-02

Commonwealth of Kentucky
Court of Justice
LD



CALENDAR

Date: 07/31/2014

Time: 09:00AM

JUVENILE HJ306

D.O.B. 10-29-00

14J700532

(01) BURG 2(3CTS), BURG 3

MARCO KIRBY

Petition

Appearances: Child

Parent:

Atty. for Child

Atty. for Parent:

CA:

Prob. Off.:

PW'S

Police/Others

Pending Court Dates:

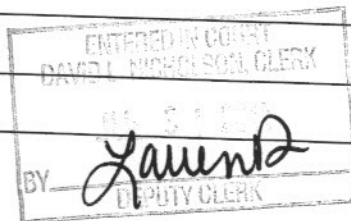
Proceedings: PT

POP

IA

Let's RJ

enter attached



COPIES TO DJJ, CDW, LMYDC
CHF, JCPS, CTY, ATTY
SENT INTER OFFICE

Judge's Signature

Date

NO. 14J700531

JEFFERSON DISTRICT COURT
JUVENILE SESSION
DIVISION 88/99

IN THE INTEREST OF:

MARCO KIRBY, A CHILD

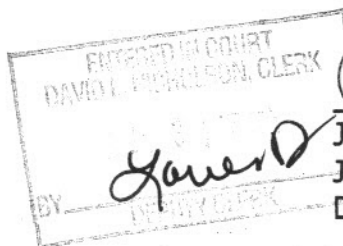
**AGREED ORDER REFERRING CHILD TO RESTORATIVE JUSTICE LOUISVILLE
(RJL) CONFERENCE PROCESS**

* * * * *

The Court having been advised by the Commonwealth that it has reviewed petition #(s) (61) and is recommending informal handling of this case by the Restorative Justice Louisville (RJL) Conference Process, this Court makes these findings and enters the following order:

1. The Child, Marco Kirby, has been advised of and understands his/her rights as set forth in KRS 610.060 (1).
2. The Child is represented by and has consulted with counsel, J. Roberts and desires to have the pending allegations against him/her resolved through the RJL Conference Process.
3. The Child understands that (s)he is entitled to have a speedy hearing pursuant to KRS 610.070 (1), and has a right to have his/her charges resolved in a formal, confidential Juvenile Court proceeding pursuant to KRS 610.070 (2,3). The Child agrees to waive those rights, and the Court finds that the Child's waiver is knowingly and voluntarily.

4. The Child has been advised of all the requirements for successful participation in the RJL Conference Process and agrees to keep all appointments and abide by all rules and requirements of participation.
5. The Commonwealth agrees that nothing that is said by the child during the RJL Conference Process will be used against him/her at trial in the event that the Conference Process is unsuccessful.
6. Upon receipt of written notification from the RJL Coordinator that the Conference Process has been unsuccessful, the child's case shall be re-docketed and formal Juvenile Court prosecution of the unresolved petition(s) shall be initiated.
7. If the court receives notification from the RJL Coordinator that the Conferencing Process has been successful, then the court will enter an order dismissing the petition(s) and expunging all juvenile court records relating to the petition(s).
8. The Clerk shall prepare a referral packet to be delivered to the RJL Coordinator.
9. This case shall be remanded from the docket.



Dee McDaniel
JUDGE, JEFFERSON DISTRICT COURT
JUVENILE SESSION
DIVISION 88/99

DATE: 7/31/14

I hereby agree to the findings and abide by the conditions of participation set forth above in the Court's ORDER above referring the Child's case to the RJL Conference, and have received a copy of this ORDER.

M. Kirby
CHILD _____ DATE _____

[Signature] 7/31/14
CHILD'S ATTORNEY _____ DATE _____

M. Kirby
CHILD'S PARENT/GUARDIAN _____ DATE _____

[Signature] 7/31/14
ASSISTANT JEFFERSON COUNTY ATTORNEY _____ DATE _____

Yolanda Holt
Marice Kirby
1025 Sale Ave 40215
384 1203

VICTIMS

1. Jennifer Nunn
1011 Carlisle Avenue
40215
533-4504

2. Ashia Brown
828 W. Whitney Ave
40215
716-2036
224-6284

3. Donna Becter
731 W. Florence
Ave.
40215
363-3078
593-1776

AOC-JV-1 Doc. Type: F
Rev 05-11 5/6/2014 3:11 am ET
Commonwealth of Kentucky
Court of Justice Juv Id: 00345914
www.KyCourts.net Page 1 of 2



WR

Juvenile
[X] Complaint [] Petition
Status / Public Offender

DW Referral No. 056-00252110-001
Case No. 147700232
Court
County JEFFERSON
The County Attorney has reviewed the complaint and determined from the available evidence that reasonable grounds ☒ do exist to believe the alleged facts would constitute a public offense for those offenses noted below.

Juvenile Information

JUVENILE INFORMATION

In the interest of MARCO D KIRBY, a CHILD

Said juvenile resides at:
1025 SALE AVENUE
LOUISVILLE KY 40215

With telephone number of (502) 384-1203
Attends school at OLMSTEAD NORTH (JEFFERSON)

The juvenile's legal mother is YOLANDA HOLT
1025 SALE AVE. LOUISVILLE KY 40215 Phone: (502) 384-1203

The juvenile's legal father is MAURICE M. KIRBY SR.
1025 SALE AVE. LOUISVILLE KY 40215 Phone: (502) 384-1203

The parent with legal custody is YOLANDA HOLT

Any Other: [] legal guardian other than a parent;
[] nearest known adult relative if no parent or guardian is known or can be found;
[] person with custody or control of the child

13

DOB	Gender
10/29/2000	Male
SSN	Race
402577662	African American

RECEIVED

MAY 06 2014
JEFFERSON CO. ATTORNEY

Allegation(s) are as follows

The affiant, R. BURNS 7771, says that in JEFFERSON County, Kentucky, the above named juvenile unlawfully committed the offense(s) of:

BURGLARY, 2ND DEGREE (3 Counts) in violation of KRS 511.030 UOR code 022061 (3 Counts) and within scope of KRS 610.010(1a,b,c,d). Affiant's grounds of belief are, that on 05/05/2014, child and co-defendant's, were found in possession of property stolen from 1011 Carlisle Ave, minutes after the burglary occurred. Child gave a recorded statement, regarding his involvement in the burglary. Child also gave a recorded statement about his & co-defendants involvement in burglaries that occurred at 828 Whitney Avenue and 731 Florence Avenue. On this date, child and co-defendants were committing burglary 3rd at 828 Whitney Avenue, when they went inside the garage, without permission. Owner of garage identified all suspects.

Reasonable Grounds
☒ Yes [] No
[] Not Required

co-defendants - Devonta Shaw 8/4/01, Markell Calloway 6/29/02, Ernest Bradshaw 8/1/01

Incident Address: 1011 CARLISLE AVENUE LOUISVILLE KY 40215

Interested Parties:

*see attached verified citation

81

2 total pages exist

Sworn to before me this 6 day of 5/19
L. C. Murphy CAW
Name Title

Clerk's USE ONLY
Hearing Date 5/19/14
Hearing Time 9:00 a.m. / p.m.
Hearing Location Rm 306

[] Notification to school superintendent / principal per KRS 610.345(3)

Time: _____

Authorized by _____

Date: _____

COPY DISTRIBUTION: Court CDW Files Child

THIS IS A PUBLIC RECORD ONLY IF CASE DISPOSED AS CAPITAL OFFENSE; CLASS A,B,C FELONY; OR OFFENSE INVOLVING DEADLY WEAPON. (See JV-31 Disposition for Court Order). VICTIM / FAMILY / REPRESENTATIVE may access this document at any time.

Principal, OLMSTEAD NORTH (JEFFERSON) (if so directed by Court)

AOC-JV-1

Doc. Type: I

Rev 05-11

5/6/2014 3:11 am ET

Commonwealth of Kentucky

Court of Justice Juv Id: 00345914

www.KyCourts.net

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Juvenile

[X] Complaint [] Petition
Status / Public Offender

DW Referral No.

056-00252110-001

Case No.

Court

County

JEFFERSON

The County Attorney has reviewed the complaint and determined from the available evidence that reasonable grounds ☐ do ☐ do not exist to believe the alleged facts would constitute a public offense for those offenses noted below.

BURGLARY, 3RD DEGREE in violation of KRS 511.040 UOR code 022062 and within scope of KRS 610.010(1a,b,c,d). Affiant's grounds of belief are, that on 05/05/2014, child and co-defendant's, were found in possession of property stolen from 1011 Carlisle Ave, minutes after the burglary occurred. Child gave a recorded statement, regarding his involvement in the burglary. Child also gave a recorded statement about his & co-defendants involvement in burglaries that occurred at 828 Whitney Avenue and 731 Florence Avenue. On this date, child and co-defendants were committing burglary 3rd at 828 Whitney Avenue, when they went inside the garage, without permission. Owner of garage identified all suspects.

co-defendants - Devonta Shaw 8/4/01, Markell Calloway 6/29/02, Ernest Bradshaw 8/1/01

Incident Address: 828 WHITNEY AVENUE LOUISVILLE KY 40215

Interested Parties:

Reasonable Grounds

☐ Yes ☐ No☐ Not Required

The affiant states that the foregoing allegations and Juvenile Information set forth above are true based upon information and belief.

Affiant Address:

LOUISVILLE METRO POLICE DEPARTMENT
633 WEST JEFFERSON STREET
LOUISVILLE KY 40202

Phone Number:

574-7111

Signature of Affiant

R. BURNS 7771

Law Enforcement Citation #: m412832

COMMONWEALTH OF KENTUCKY
UNIFORM CITATION

KSP 206 (REV 2/1/06)

COURT

OFFENDER / VIOLATOR	AGENCY LMPD					ORI: KY 0568000					
	NAME (L-F-M) Kirby, marco D.					ATTN: <input type="checkbox"/> HOME PHONE 384-1203					
	ALIAS					EMERGENCY PHONE Yolanda Holt					
	ADDRESS (RFD/STREET/APT. NO., ETC.) 1025 Sale Ave					KENTUCKY RESIDENT STATUS F. <input checked="" type="checkbox"/> FULL TIME P. <input type="checkbox"/> PART TIME N. <input type="checkbox"/> NON RESIDENT					
VEHICLE	CITY Louisville STATE: KY ZIP: 40215					MARITAL STATUS					
	I.D. TYPE/STATE NIA		I.D. NUMBER NIA		S.S. NUMBER		VICTIM'S RELATIONSHIP TO OFFENDER				
	DATE OF BIRTH 10/29/2000		SEX <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE		RACE <input type="checkbox"/> WHITE <input checked="" type="checkbox"/> BLACK <input type="checkbox"/> AM. INDIAN OR ALASKAN <input type="checkbox"/> ASIAN		ETHNIC ORIGIN <input type="checkbox"/> HISPANIC <input checked="" type="checkbox"/> NON HISPANIC				
	PLACE OF EMPLOYMENT / OCCUPATION					CITY		STATE		HEIGHT 5'9" WEIGHT 95 HAIR COLOR BLK EYE COLOR BRO	
DATE / TIME	VEH. MAKE		VEH. TYPE		VEH. YEAR		COLOR TOP/BOTTOM		ALCOHOL/DRUG INVOLVEMENT (SPECIFY) <input type="checkbox"/> NO <input type="checkbox"/> YES <input checked="" type="checkbox"/> DUNK		
	REG. STATE		REG. YEAR		REGISTRATION NO.		VEHICLE IDENTIFIERS		MPH		IN MPH ZONE
	VIOLATION DATE		VIOLATION TIME		EXACT LOCATION OF VIOLATION ARREST 710 Camden Ave.					B.A. RESULTS	
	DATE OF ARREST 5/5/14		TIME OF ARREST 21:10		MILES		DIRECTION		CITY Louisville		COUNTY OF VIOLATION Jefferson
CHARGE(S)	VIOLATION CODE		ASCF		STATUTE / ORD.		CHARGES		#		PLEA
	FIND-ING		FINAL VIOLATION CODE		DISPN. CODE		FINE		ROB. TIME		
	22061		<input checked="" type="checkbox"/>		511.030		Burg 2nd		1		Sworn before me this 6 day of May 20 15 MA ofc (702)
	22061		<input checked="" type="checkbox"/>		511.030		Burg 2nd		2		
22061		<input checked="" type="checkbox"/>		511.030		Burg 2nd		3			
COURT	22062		<input checked="" type="checkbox"/>		511.040		Burg 3rd		4		COURT CASE NO ERKS TIALS
	COURT DATE		COURT TIME <input type="checkbox"/> AM <input type="checkbox"/> PM		PAYABLE <input type="checkbox"/> COURT		COURT LOCATION Arrested - JC4C				
POST-ARREST COMPLAINT	POST-ARREST COMPLAINT Listed subject and co-def's were found in possession of property stolen from 1011 Carlisle Ave minutes after the burglary occurred. Listed subject gave a recorded statement regarding his involvement in the burglary. Listed subject also gave a recorded statement about his + co-def's involvement in burglary's that occurred at 828 Whitney Ave and 731 Florence Ave. On this date, listed subject and co-def's were committing burglary 3rd at 828 Whitney Ave when they went to inside the garage without permission, owner of garage identified all suspects.										
	Co-Def's = Devonta Shaw 8/14/2001 markell calloway 6/29/2002 Ernest Bradshaw 8/11/2001										
	- Court Designated worker was contacted @ 11:15 pm with no answer.										
CDL	CDL LICENSE <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					PLACARDED HAZARDOUS VEHICLE <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					
	COMMERCIAL VEHICLE <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes					CDL CLASS <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C					
CASE	NAME OF WITNESS _____ ADDRESS _____										
	NAME OF WITNESS _____ ADDRESS _____										
	CASE NO. 80-14-032048		80-14-025637		80-14-031764		80-14-032052				
	CARRIED FOR UCR BY CONTRIBUTOR: <input checked="" type="checkbox"/>					<input type="checkbox"/> IN-CAR VIDEO		<input type="checkbox"/> FINGER PRINTS		EVIDENCE HELD	
OTHER AGENCY: <input type="checkbox"/> SPECIFY _____											
OFFICER'S SIGNATURE X DR...					BADGE / I.D. NUMBER 7791		ASSIGNMENT 441				

TRANSPORTING

14
M412832
YEAR
CONTROL NUMBER
TYPE